

## Notice of Intent to Certify Sole Source

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**To:** Interested Parties  
**From:** Craig P. Orgeron, Ph.D.  
**CC:** ITS Project Number 41921  
**Date:** September 1, 2015  
**Re:** Sole Source Certification Number 3814 to virtualize ReportBeam Software developed by Advanced Public Safety for the Mississippi Department of Public Safety (MDPS) - Criminal Information Center

**Contact Name:** Donna Hamilton  
**Contact Phone Number:** 601-432-8114  
**Contact E-mail Address:** [Donna.Hamilton@its.ms.gov](mailto:Donna.Hamilton@its.ms.gov)

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 3814 to virtualize ReportBeam Software developed by Advanced Public Safety (APS) for the Mississippi Department of Public Safety (MDPS) - Criminal Information Center, please be advised that ITS intends to award the services to virtualize the ReportBeam Software to APS. The total lifecycle cost of this award is \$7,000.00. For an explanation regarding Mississippi state law, policy, and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

### Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

**MDPS has made a business decision to move the current ReportBeam server installation to a new virtual server. Because the software is proprietary, APS must provide these services. MDPS's Sole Source Certification request is included as Attachment A.**

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

**Report Beam supports functions for DPS and the Attorney General's Office. The Highway Patrol enters CRASH data through Report Beam and data is sent from ReportBeam to Mississippi Department of Transportation (MDOT) for processing in the Safety Analysis Management System (SAMS). The Attorney General's**

**Office and law enforcement offices use Report Beam to issue and monitor protection orders. MDPS's Sole Source Certification request is included as Attachment A.**

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

**Virtual Partner is proprietary software developed and offered exclusively by Advanced Public Safety (APS) and is patented by the United States Patent & Trademark Office (U.S. Patent No. 6,621,422 and Patent No. 6,943,703 B2). The Virtual Partner family of products includes: QuickVoice, Quick Ticket, Quick Crash, SmartExport, PocketCitation, PocketCrash, ReportBeam and other modules. The Vendor's Sole Source Certification Letter is included as Attachment B.**

4. If services, explain why the amount to be expended for the services is reasonable:

**An internet search of Sr. IT Consultant with specialization indicated hourly rates between \$150 - \$180. The hourly rate quoted by APS is \$175.00.**

5. If services, explain what the agency did to obtain the best possible price for the services:

**MDPS worked with the Vendor to obtain a competitive quote and a detailed Statement of Work outlining the tasks to be performed.**

#### **Schedule**

Task	Date
First Advertisement Date	9/1/15
Second Advertisement Date	9/8/15
Response Deadline from Objectors	9/16/15 at 3:00P.M. Central Time
Notice of Award/No Award Posted	Not before 9/17/15

#### **Project Details**

RFP No. 3366 was issued in March 2004, for the acquisition of a turnkey solution to automate the Mississippi Uniform Crash Report System. VS Visual Statement, Inc was the awarded vendor. A Software Turnkey Agreement was executed on June 23, 2004, for a total 5-year lifecycle cost of \$1,030,000.00. MDOT was the software purchaser and MDPS was the licensee. Since that time, maintenance has been paid annually. The total spent to date beyond the initial purchase is \$743,967.09.

VS Visual Statement was acquired by Trimble. APS and VS Visual Statement are now Trimble companies. APS will be providing the virtualization services and VS Visual Statement provides maintenance.

#### **Submission Instructions and Format of Response from Objecting Parties**

Interested parties who have reason to believe that APS should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to APS.

1.1. Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Wednesday, September 16, 2015, at 3:00 p.m. (Central Time) to Donna Hamilton at [Donna.Hamilton@its.ms.gov](mailto:Donna.Hamilton@its.ms.gov) or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail, or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Donna Hamilton to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4. Interested Party responses should include the following information:

<p><b>SUBMITTED IN RESPONSE TO</b> <b>Sole Source Certification No. 3814-41921</b> <b>Accepted until September 16, 2015 @ 3:00 p.m.</b> <b>Attention: Donna Hamilton</b></p>
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If you have any questions concerning the information above or if we can be of further assistance, please contact Donna Hamilton at 601-432-8114 or via email at [Donna.Hamilton@its.ms.gov](mailto:Donna.Hamilton@its.ms.gov).

Attachment A: Customer Sole Source Certification Request

Attachment B: Vendor Correspondence

Attachment C: Sole Source Procurement Overview

## Attachment A



COMMISSIONER: [Signature] DATE: 9/1/15  
 LEGAL OFFICE: [Signature] DATE: 9/1/15  
 COMPTROLLER: [Signature] DATE: 9/1/15  
 ADMIN. OPERATIONS: [Signature] DATE: 9/1/15

3771 Eastwood Drive  
 Jackson, Mississippi 39211  
 1-432-8000 Fax 601-713-6380

## Sole Source Certification Request

<b>Project Title: CIC Virtualizing ReportBeam</b>			<b>Stimulus (ARRA) Funds? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b>	
<b>Customer Contact Information</b>				
Agency/Public University: Criminal Information Center Address: 3891 Highway 468 West Pearl, MS 39208			Contact Person: Dewann Clark Phone: 601-933-2676 Fax: Email Address: dclark@dps.ms.gov	
MAGIC Customer Number (only required from state agencies): 7000000197 (DPS-Division of Safety Patrol)			Division/Dept: CIC/MIS Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Project Summary</b> <i>Narrative Description of Project</i> (include details of original acquisition if applicable): The ReportBeam application is currently running on a server that is no longer supported and cannot be recovered. Keeping in line with the Governor's push to reduce costs and virtualize processes and functions, DPS would like to virtualize the ReportBeam application.				
<b>ITS Acquisition Approval (CP-1) should be effective through this date</b> (Please allow time for all vendor invoices to be paid):				
<b>Cost Estimates</b> <i>Fiscal Year</i>	<b>Initial Costs</b>	<b>Ongoing Costs</b>	<b>Time Constraints</b> Item Needed by: 9/1/15 Funds Expire:	<b>Anticipated Lifecycle of Products/System</b> (i.e. estimated years of effective use):
FY2016	\$7,000.00		<b>Discuss Funding</b> (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds)	
<b>Total</b>	<b>\$7,000.00</b>			
<b>Acquisition Details</b>				
<b>Items Requested</b>	<b>Quantity</b>	<b>Description</b>		<b>Building Location(s)</b>
Professional Services	40	Virtualize ReportBeam to new servers		
<b>Describe platform &amp; infrastructure</b> (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification:				
<b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)?				
<b>Sole Source Certification</b> Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.				
<b>Specific business requirements to be met by the requested products or services:</b> MDPS has made a business decision to move the current ReportBeam server installation to a new virtual server. Because the software is proprietary APS must provide these services.				
<b>Explain why these products or services are the only ones that can meet your needs</b> (include unique features/special functionality): Report Beam supports functions for DPS and the Attorney General's/law enforcement office. The Highway Patrol enters CRASH data through Report Beam and data is sent from ReportBeam to MDOT for processing in the Safety Analysis Management System (SAMS). The Attorney General's and law enforcement offices use Report Beam to issue and monitor protection orders.				
<b>Explain why the source is the only entity that can provide the products or services</b> (Include other products/vendors researched or evaluated): Virtual Partner is proprietary software developed and offered exclusively by Advanced Public Safety and is patented by the United States Patent & Trademark Office (U.S. Patent No. 6,621,422 and Patent No. 6,943,703 B2).				
<b>Explain why the amount to be expended for the services is reasonable:</b> A search of Sr. IT Consultants with specialization indicated rates between \$150 - \$180. The hourly rate quoted by APS is \$175.00.				
<b>Explain what your agency did to obtain the best possible price for the services:</b> The Agency is not aware of any outside vendors with the expertise required to perform migration work specific to ReportBeam that will be necessary for the new environment.				
<b>Vendor's Certification of Sole Source attached:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<b>Vendor's proposal attached:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.</b>				
<b>Place Order To</b> Vendor Name: Advanced Public Safety Vendor Address: 400 Fairway Drive, Suite 101 Deerfield Beach, FL 33441		<b>Remit To</b> Vendor Name: Advanced Public Safety Vendor Address: 400 Fairway Drive, Suite 101 Deerfield Beach, FL 33441		

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

A. Santa Cruz - Commissioner - DPS  
 Name (Agency Head or Public University CIO)/Title

[Signature] 9/1/15  
 Signature Date

Attachment B



9/1/2015

Donna Hamilton  
Procurement  
MS DPS - ITS

Ms. Hamilton:

Thank you for your interest in the APS **Virtual Partner™** family of products. Designed by law enforcement officers, the Virtual Partner solutions were created to increase officer safety and productivity. Our solutions are currently utilized by over 500 law enforcement agencies across the U.S. and Canada.

Virtual Partner is proprietary software developed and offered exclusively by Advanced Public Safety and is patented by the United States Patent & Trademark Office (U.S. Patent No. 6,621,422 and Patent No. 6,943,703 B2). The Virtual Partner family of products includes: QuickVoice™, QuickTicket™, QuickCrash™, SmartExport™, PocketCitation™, PocketCrash™, ReportBeam™ and other modules.

APS is unaware of any product on the market that provides the functionalities offered with the Virtual Partner system. Virtual Partner is the only system on the market today that interfaces with your agency's mobile data system to provide electronic forms functionality. APS is also unaware of any product on the market that will allow your agency to electronically transfer the data from tickets, citations, and other field forms/documents to any Records Management System (RMS) and/or Court System (CMS).

At Advanced Public Safety, we take great pride in knowing that we help make the jobs of law enforcement and public safety officers safer and more efficient. We appreciate your consideration of the APS Virtual Partner system and look forward to working together.

Regards,

Amy Oakley  
Advanced Public Safety, Inc.  
561.716.4902

## Attachment C: Sole Source Procurement Overview

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website ([www.its.ms.gov](http://www.its.ms.gov)).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.



Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.